

Simmons, Perrine, Albright & Ellwood, P.L.C.

Attorneys and Counselors

115 Third Street SE, Suite 1200
Cedar Rapids, Iowa 52401-1266
Office Telephone: (319) 366-7641
Fax: (319) 366-1917

Third Floor Tower Place
22 South Linn Street
Iowa City, Iowa 52240
Office Telephone: (319) 887-1368
Fax: (319) 887-1372

Barrel A. Morf	Gregory G. Williams	Haven Y. Simmons (1858-1975)
James E. Shipman	Nicolas Abov-Assaly	Becky T. Perrine (1902-1989)
Stephen J. Holtzman ¹	Allison M. Heftern	William P. Ellwood (1909-1995)
Iris E. Muchmore	Lynn W. Hartman ¹	Justin W. Albright (1908-2004)
Gregory M. Lederer	Kathleen A. Kleinman ¹	
James A. Gerk	Paul P. Morf	REGISTERED PATENT
Roger W. Stone	Philip A. Burton ¹	ATTORNEYS
David A. Hacker	Christine L. Conover	Gregory G. Williams
David W. Kubick	David C. Kucher ¹	Michael F. Williams
Matthew J. Brandes	Michael F. Williams	OF COUNSEL
James M. Peters	Elizabeth V. Croco	James R. Snyder
Leonard L. Strand	Patty A. Thiemann ¹	Robert M. Jilek
Mark H. Ogden	Jason M. Steffens	
Webb L. Wassmer	Lorie Reins-Schweer	
Mark A. Roberts	Laura R. Staker ¹	
Chad M. VonKampen	Richard G. Hileman, Counsel	RETTRED
		John R. Carpenter

E-Mail Address: gwilliams@simmonsperrine.com
Website: www.simmonsperrine.com

Also licensed to practice in: 1 Illinois 2 Wisconsin 3 Missouri

FACSIMILE INFORMATION SHEET

DATE: February 4, 2005

TIME: 3:15 PM

RE: Application No: 10/604,259 Applicant: Gale L. Sindt

CONFIDENTIALITY NOTICE: The information contained in this facsimile message and the documents accompanying this facsimile message are attorney privileged and confidential information intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U. S. Postal Service. We will guarantee postage.

THE FOLLOWING PAGES ARE FOR

NAME OF INDIVIDUAL:

Examiner J. Johnson

NAME OF FIRM/COMPANY:

USPTO - Group Art Unit 1725

FACSIMILE (FAX) NO.

703-872-9306

TRANSMITTING PARTY:

Gregory G. Williams

TOTAL NUMBER OF PAGES

(Including this Sheet):

13 PAGES

IF PROBLEMS WITH
TRANSMITTAL CONTACT:

MARIAN PALMERSHEIM

MESSAGE: Please enter the following Amendment and accompanying documents.

Applicant: Gale L. Sindt
Filed: July 7, 2003
Group Art Unit No. 1725
Examiner: J. Johnson
For: APPARATUS AND METHOD FOR IMPROVING TIRES

PTO/SB/97 (09-04)

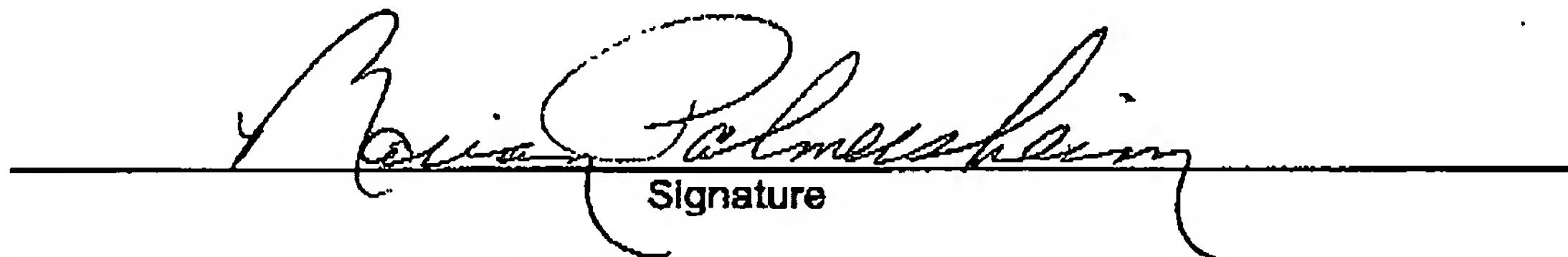
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on FEBRUARY 4, 2005.
Date


Signature

MARIAN PALMERSHEIM

Typed or printed name of person signing Certificate

319-887-1368

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal Form

Fee Transmittal Form

Amendment in response to Office Action dated November 5, 2004

Terminal Disclaimer

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

12

Application Number	10/604,259
Filing Date	JULY 7, 2003
First Named Inventor	GALE L. SINDT
Art Unit	1725
Examiner Name	J. JOHNSON

Attorney Docket Number

03S1657

ENCLOSURES (Check all that apply)

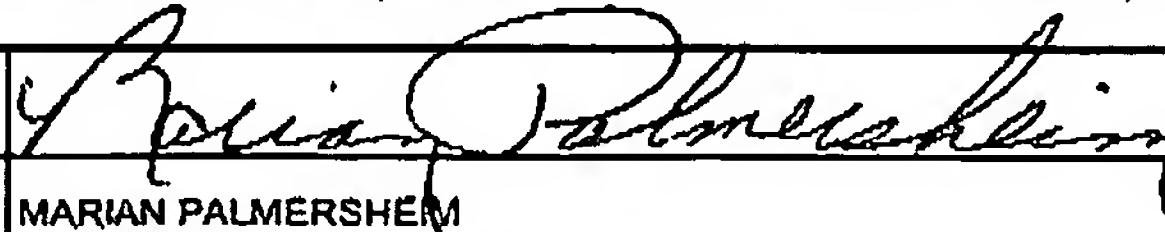
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	SIMMONS PERRINE ALBRIGHT & ELLWOOD, P.L.C.		
Signature			
Printed name	GREGORY G. WILLIAMS		
Date	FEBRUARY 4, 2005	Reg. No.	31,681

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	MARIAN PALMERSHEM	Date	FEBRUARY 4, 2005

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL
For FY 2005** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00

Complete if Known

Application Number	10/604,259
Filing Date	July 7, 2003
First Named Inventor	Gale L. Sindt
Examiner Name	J. Johnson
Art Unit	1725
Attorney Docket No.	03S1657

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 19-2260 Deposit Account Name: Simmons Perrine

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee (\$)
- 20 or HP =	x	=		50	25
HP = highest number of total claims paid for, if greater than 20.				200	100
- 3 or HP =	x	=		360	180
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

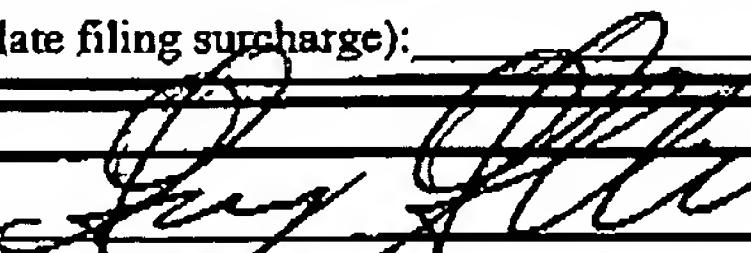
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature		Registration No. 31,681 (Attorney/Agent)	Telephone 319-887-1368
Name (Print/Type)	Date FEBRUARY 4, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No. 03S1657

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gale L. Sindt

Group Art Unit No. 1725

Serial No. 10/604,259

Examiner: J. Johnson

Filed: July 7, 2003

For: APPARATUS AND METHOD FOR IMPROVING TIRES

February 4, 2005**AMENDMENT**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated November 5, 2004, on the above-referenced application, please amend the above-referenced application as follows:

An amendment to the Specification is reflected on page 2 of this paper.

Amendments to the Claims are reflected in the listing of the claims that begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.